

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(SOUTHERN DIVISION)

RYAN BARRY

Plaintiff,

v.

ALSCO INC.,

Defendant.

Civil Action No: _____
(Removed from the Circuit Court for Prince
George's County Case No. C-16-CV-24-
005549)

DEFENDANT ALSO INC.'S NOTICE OF REMOVAL
(Diversity Jurisdiction)

Defendant Alsco Inc. ("Alsco"), by and through undersigned counsel, hereby provides the instant Notice pursuant to 28 U.S.C. §§ 1441 and 1446 of its removal of the above-captioned case from the Circuit Court for Prince George's County to the United States District Court for the District of Maryland. Removal is based on 28 U.S.C. § 1332 (diversity of citizenship jurisdiction). As grounds for removal, Alsco states the following:

1. On November 19, 2024, Plaintiff, Ryan Barry ("Plaintiff") commenced this action against Alsco by filing a Complaint in the Circuit Court for Prince George's County (the "Complaint"). The case was assigned Case No. C-16-CV-24-005549 (the "State Court Action").
2. The Complaint alleged that Alsco engaged in defamation, intentional infliction of emotional distress, and wrongful termination related to Alsco's termination of Plaintiff's employment.
3. The amount in controversy in the Complaint exceeds \$75,000.00.

4. Alsco was served with the Summons and Complaint on or about November 25, 2024.

5. Alsco is a corporation, incorporated in the State of Nevada, with its principal place of business in Salt Lake City, Utah.

6. Plaintiff is a resident of Fairfax County, Virginia.

7. This Court has “original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between citizens of different States.” 28 U.S.C. § 1332. Pursuant to 28 U.S.C. § 1441(a), “[e]xcept as otherwise expressly provided by Act of Congress, any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant, to the district court of the United States for the district and division embracing the place where such action is pending.” 28 U.S.C. § 1441(a).

8. Alsco is entitled to remove this action to this Court pursuant to 28 U.S.C. § 1441.

9. Complete diversity exists between Plaintiff and Alsco, and the amount in controversy in this matter exceeds \$75,000.00. Therefore, the Court has original jurisdiction over this matter pursuant to 28 U.S.C. § 1332 and removal is proper.

10. Pursuant to 28 U.S.C. §§ 1446(a) and 1441(b), this Notice of Removal is being filed in the United States District Court for the District of Maryland, which is the federal district court embracing the state court where the State Court Action was filed.

11. Removal is timely pursuant to 28 U.S.C. § 1446(b) as this Notice is being filed within 30 days after Alsco was served with the Complaint.

12. This Notice of Removal is signed pursuant to Federal Rule of Civil Procedure 11.

See 28 U.S.C. § 1446(a).

13. Contemporaneously filed herewith are copies of all “process, pleadings and orders” received by Alsco in the State Court Action, and which are attached hereto as Exhibit 1. *See 28 U.S.C. § 1446(a), Rule 103.5(a).*

14. Attached hereto as Exhibit 2 is a copy of the Notice of Filing of Notice of Removal that Alsco will file in the Circuit Court for Prince George’s County, and will promptly serve upon Plaintiff.

WHEREFORE, having satisfied all the requirements for removal under 28 U.S.C. §§ 1441 and 1446, including the presence of all jurisdictional requirements established by 28 U.S.C. § 1332, Defendant Alsco Inc. respectfully serves notice that the above-referenced civil action, now pending in the Circuit Court for Prince George’s County is removed therefrom to the United States District Court for the District of Maryland.

Dated: December 12, 2024

Respectfully submitted,

/s/ Suzanne W. Decker

Suzanne W. Decker, Fed. Bar No. 24007

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Attorneys for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of December, 2024, a copy of the foregoing was mailed via first-class mail, postage prepaid, to:

Robert Dixon Windus
Moore & Lee LLP
1751 Pinnacle Dr., Ste. 1100
McLean, VA 22102

Attorney for Plaintiff

/s/ Suzanne W. Decker

Suzanne W. Decker